



# Backgrounder

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## Chesapeake Bay Program Independent Evaluation

There is broad support for an independent evaluator that conducts ongoing and periodic evaluations of the Chesapeake Bay Program (CBP). This backgrounder describes what the independent evaluator is, frequently asked questions about independent evaluation, and a timeline for the first pilot independent evaluation that is currently underway.

### What is the independent evaluator?

#### *History*

In 2008, the Executive Council requested that the Bay Program be evaluated by a nationally recognized independent science organization to accelerate implementation and increase the level of accountability. This came after the United States Government Accountability Office concluded that the Bay Program's actions had fallen short of their 2005 recommendation to establish an independent and objective reporting process.

An Independent Evaluator is now included as an organizational function in the new Bay Program structure, reporting to the Executive Council and the Principals' Staff Committee.

#### *First pilot study*

The first independent evaluation is a pilot effort which began in December 2009. It is being conducted through an EPA contract with the National Academies of Science. In general, the overall purpose of the study is to evaluate the CBP implementation efforts to obtain the nutrient reduction goals for water quality in order to accelerate reaching the overall goals to protect and restore the Chesapeake Bay. Specifically, the National Academies of Science study panel will address the following questions:

- CBP Evaluation Theme I: Tracking and Accountability
  1. Does tracking for implementation of nutrient and sediment point and non-point source pollution (including air) best management practices appear to be reliable, accurate, and consistent?
  2. What tracking and accounting efforts and systems appear to be working, and not working, within each state (i.e., the six states in the watershed and DC), including federal program implementation and funding? How can the system be strategically improved to address the gaps?
  3. How do these gaps and inconsistencies appear to impact reported program results?
- CBP Evaluation Theme II: Milestones
  4. Is the two year milestone strategy, and its level of implementation, likely to result in achieving the CBP nutrient and sediment reduction goals for this milestone period?
  5. Do the CBP agencies appear to have developed adaptive management approaches that will help meet program goals for sediment and nutrient reduction?
  6. What improvements can be made to the development, implementation, and accounting of the strategies to ensure achieving the goals?

The National Academies of Science final report, due April 14, 2011, will contain actionable recommendations that the states, federal agencies and others will respond to through program management decisions in an adaptive management context. This initial pilot study is funded jointly by EPA, the District of Columbia, Maryland, Pennsylvania, and Virginia.

## **What are the issues with independent evaluation?**

### *What is the ongoing function of the independent evaluator?*

While the Bay Program has an organizational function for the Independent Evaluator, its long-term role has not yet been defined.

- The Citizens Advisory Committee and the Bay Program partnership have called for the ongoing function to be defined and put in place.
- The United States Government Accountability Office and Executive Order 13508 both identified the need for ongoing independent reporting and evaluation.

The decision to do a pilot study approach was the Principals' Staff Committee suggestion as a way to get more experience on what an ongoing function might look like before making further recommendations. Additionally, this study is also intended to serve as a pilot approach to address the needs identified by the General Accountability Office and the Executive Order to do ongoing independent reporting and evaluation.

### *What is the difference between the Bay Program independent evaluation organizational function and the independent evaluation called for in the Executive Order?*

Executive Order 13508 Chesapeake Bay Restoration and Protection calls for an independent evaluator to periodically evaluate protection and restoration activities and report on progress toward meeting the goals of the Executive Order. Specifically, Section 206 of the Executive Order states that the Federal Leadership Committee "in collaboration with state agencies, shall ensure that an independent evaluator periodically reports to the committee on progress toward meeting the goals of this order. The committee shall ensure that all program evaluation reports, including data on practice or system implementation and maintenance funded through agency programs, as appropriate, are made available to the public by posting on a website maintained by the chair of the committee."

The Federal Leadership Committee plans to initiate independent evaluation mechanisms as part of its adaptive management cycle and annual progress report. The Federal Leadership Committee will coordinate its independent evaluation with the Chesapeake Bay Program's ongoing independent evaluation process to the greatest extent practicable.

### *Will independent evaluation yield a product that can be used in adaptive management decision-making?*

It is the intention that this first independent evaluation will be used to adaptively manage the CBP by specifically informing the next round of two-year milestones. The study is due to be complete on April 14, 2011 and the next set of two-year milestones is scheduled to begin January 2012. It is expected that between April 2011, and January 2012, the results of the first independent evaluation will be used as an input in the development of the next set of two-year milestones.

### *What is the focus of the independent evaluation?*

The first pilot study is focused on accountability. It will evaluate the existing nutrient reduction goals for water quality and how these assist in reaching overall Bay Program goals. It is not intended to be a focused evaluation of the watershed model.

### *What are the future plans for independent evaluations?*

The future plans are yet to be determined. Questions have been raised about whether studies should be ongoing (sequential and/or concurrent) evaluations that are conducted at the direction of the Principals' Staff Committee under the current approach.

## What is the timeline for independent evaluation?

At this point, the only timeline that has been set is for the current pilot study by the National Academies of Science.

- *December 16-17, 2009*: National Academies of Science panel kickoff meeting
  - Brief overview presentations given
- *March 25, 2010*: National Academies of Science panel spring meeting
  - In-depth presentations on topics determined and selected by NAS will be invited
  - Closed session to deliberate
- *Fall 2010*: National Academies of Science panel fall meeting
  - National Academies of Science to identify information gaps and invite presentations to address these topics
  - Closed session to work on draft report
- *Winter 2010*: National Academies of Science panel meeting to reach consensus on the report
- *Late Winter 2010/11*: National Academies of Science draft final report goes through National Academies of Science peer review process
- *By April 14, 2011*: National Academies of Science to make the report public
  - EPA and the Bay Program will not see the report prior to its public release per National Academies of Science rules of engagement